

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KENT BERNBECK,

Plaintiff,

8:13CV228

vs.

ORDER

JOHN A. GALE,

Defendant.

This matter is before the court following a telephone planning conference with counsel on March 6, 2014. Participating in the conference were Megan N. Mikolajczyk for the plaintiff and Dale A. Comer and L. Jay Bartel for the defendant. The parties agreed this matter can be submitted for a decision on a stipulated record with written briefs and arguments from the parties.

IT IS ORDERED:

1. The parties shall file a stipulated record on or before **May 2, 2014**. In the event there is any disagreement, parties may file supplemental affidavits on or before **May 16, 2014**. In the event any deposition is needed following the filing of the affidavits, the depositions shall be completed by **May 30, 2014**. The supplemental record together with any objections shall be filed by **June 16, 2014**, and such record shall constitute the trial of this matter on the merits. Accordingly, the stipulation should be prepared with the appropriate burdens of proof in mind.
2. Plaintiff shall file his brief and final argument together with his proposed findings of facts and conclusions of law on or before **July 17, 2014**.
3. Defendant shall submit his brief and final argument together with his proposed findings of facts and conclusions of law on or before **August 26, 2014**.
4. Plaintiff may submit a reply brief and rebuttal argument on or before **September 17, 2014**.
5. This matter shall be deemed submitted on **September 17, 2014**.

Dated this 6th day of March, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge